

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JEFFREY SIEGEL, Administrator of
the Estate of MOUSTAPHA AKKAD,
Deceased, SOOHA AKKAD, individually;
SUSAN GITELSON, Special Administrator
of the Estate of RIMA AKKAD MONLA,
deceased; and MICHAEL BUTLER,

Plaintiffs,

v.

H GROUP HOLDING, INC.,
a corporation; GLOBAL HYATT
CORPORATION, a corporation;
HYATT INTERNATIONAL
CORPORATION, a corporation; HYATT
CORPORATION, a corporation; HYATT
HOTELS CORPORATION, a corporation;
HYATT INTERNATIONAL (EUROPE
AFRICA MIDDLE EAST) LLC;
AIC HOLDING CO., a
corporation; HYATT INTERNATIONAL
HOLDINGS, CO., a corporation;
HI HOLDINGS LUXEMBURG S.a.r.l.;
ZARA INVESTMENT HOLDING CO.;
and AMMAN TOURISM INVESTMENT
CO., LTD.,

Defendants.

No. 07 C 6830
Judge John W. Darrah

MOTION TO DISMISS

Defendants Zara Investment (Holding) Co. and Amman Tourism Investment Co., Ltd., by their counsel Schoenberg Finkel Newman & Rosenberg, LLC, pursuant to Rule 12(b)(2) and the common law doctrine of *forum non conveniens*, move to dismiss Counts VI, VII, VIII, IX and X of plaintiffs' Amended Complaint. In support of this motion, defendants incorporate the attached affidavits of Yassin K. Talhouni and Khaled S. Masri, incorporate their memorandum of law filed herewith, and state:

1. Plaintiffs, Jeffrey Siegel, Administrator of the Estate of Moustapha Akkad, deceased, Sooha Akkad, individually, Susan Gitelson, Special Administrator of the Estate of Rima Akkad Monla, deceased, and Michael Butler, filed the present action in the Circuit

Court of Illinois against several defendants, including defendants Zara Investment (Holding) Co. and Amman Tourism Investment Co., Ltd. The case was subsequently removed to federal court on the basis of diversity jurisdiction, where the case remains pending.

2. Plaintiffs' Amended Complaint, and specifically Counts VI, VII, VIII, IX and X, seeks recovery against defendants Zara Investment (Holding) Co. and Amman Tourism Investment Co., Ltd., for wrongful death and personal injuries arising from a suicide bombing at a hotel in Amman, Jordan, on November 9, 2005. Defendant Amman Tourism Investment Co., Ltd., owns the hotel where the suicide bomber detonated his explosives. Defendant Zara Investment (Holding) Co. owns 100% of the shares of Amman Tourism Investment Co., Ltd.

3. Defendants Zara Investment (Holding) Co. and Amman Tourism Investment Co., Ltd. are both corporations organized under the laws of the Hashemite Kingdom of Jordan (Jordan) with their principal places of business in Amman, Jordan.

4. Neither Zara Investment (Holding) Co. nor Amman Tourism Investment Co., Ltd., have sufficient minimum contacts with Illinois, the forum state, to permit the exercise of personal jurisdiction over them.

5. In addition, plaintiffs' action should be dismissed under the common law doctrine of *forum non conveniens* as the attack giving rise to the present action occurred in Amman, Jordan, and mostly all of the evidence and witnesses are in Jordan. There is no connection between Illinois and the suicide bombing in Amman, Jordan. Illinois is an inconvenient and impractical forum for this case.

6. Based on the foregoing, plaintiffs' Amended Complaint as against defendants Zara Investment (Holding) Co. and Amman Tourism Investment Co., Ltd., should be dismissed with prejudice.

Wherefore, defendants Zara Investment Holding Co. and Amman Tourism

Investment Co., Ltd., respectfully request that this Honorable Court enter an order dismissing Counts VI, VII, VIII, IX and X of plaintiffs' Amended Complaint, with prejudice.

Respectfully submitted,

/s/ Adam J. Glazer

One of Defendants' Attorneys

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